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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE WESTERN DISTRICT OF WASHINGTON
10 AT TACOMA

11 JERRY HILL,

12 Plaintiff,

13 vs.

14 SAFEWAY, INC., a foreign profit
15 corporation,

16 Defendant.

No. 3:21-cv-5170

NOTICE OF REMOVAL TO
FEDERAL COURT

17 Please take notice that Defendant Safeway Inc. hereby removes to the United
18 States District Court for the Western District of Washington the action described below.
19 On September 28, 2020, Defendant Safeway Inc.'s agent for service of process received
20 a summons (**Attachment 1**) and complaint (**Attachment 2**) in an action entitled *Jerry Hill*
21 *v. Safeway, Inc.*, Pierce County Superior Court No. 20-2-07773-4. The first date upon
22 which Safeway Inc. received a copy of this complaint was September 28, 2020.

23 The complaint does not specify the amount of damages being claimed by the
24 Plaintiff and it is not apparent from the complaint whether the amount of damages sought

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NOTICE OF REMOVAL TO
FEDERAL COURT - 1

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Turner Kugler Law, PLLC
6523 California Ave SW #454
Seattle, WA 98136
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1 would be greater than the minimum jurisdictional amount for this court. Safeway
2 propounded a request for a statement of damages which asked Plaintiff to disclose the
3 damages Plaintiff is claiming in this matter. On March 4, 2021, Plaintiff provided Safeway
4 with a statement of damages claiming \$109,853.32 in damages.

5 There is complete diversity because the Plaintiff is a citizen of the State of
6 Washington and Defendant Safeway Inc. is a corporation organized under the laws to
7 the State of Delaware with its principle place of business in the State of California.

8 This court has original jurisdiction over this action pursuant to 28 U.S.C. §1332(a)
9 because it is between citizens of different states and the amount in controversy exceeds
10 \$75,000. This claim is removable to federal court by the defendant pursuant to 28 U.S.C.
11 §1441 based on diversity jurisdiction.

12 A jury trial has been demanded (**Attachment 3**)

13 **INTRADISTRICT ASSIGNMENT**

14 The case was filed in Pierce County so LCR 3(e) indicates it will be initially
15 assigned to a Tacoma Judge.

16 A civil case cover sheet is attached as **Attachment 4**.

17 Dated: March 10, 2021.

18 TURNER KUGLER LAW, PLLC

19 By: s/ John T. Kugler
20 John T. Kugler, WSBA # 19960
21 Attorney for Defendant
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CERTIFICATE OF SERVICE

I hereby certify that on March 10, 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

none

and I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participants:

Attorney for Plaintiff:
Dexter L. Callahan
Van Siclen, Stocks & Firkins
721 45th St. NE
Auburn, WA 98002-1381
dexterc@vansiclen.com

s/ John T. Kugler
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**NOTICE OF REMOVAL TO
FEDERAL COURT - 3**

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